

**HOMELAND SECURITY AND EMERGENCY MANAGEMENT
DEPARTMENT[605]**

Notice of Intended Action

**Proposing rulemaking related to Iowa hazard mitigation plan
and providing an opportunity for public comment**

The Homeland Security and Emergency Management Department hereby proposes to amend Chapter 9, “Iowa Comprehensive Plan,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code section 29C.8.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code section 29C.8.

Purpose and Summary

This proposed rulemaking will formally adopt the Iowa Hazard Mitigation Plan.

Iowa currently has an “Enhanced” State Hazard Mitigation Plan (Enhanced Plan). This Enhanced Plan must be updated and formally adopted every five years pursuant to Federal Emergency Management Agency (FEMA) regulations. Historically, the Department has used the rulemaking process to formally adopt the Enhanced Plan. The current Enhanced Plan cited in 605—Chapter 9 was adopted on September 17, 2018, and expires September 18, 2023.

Through this Enhanced Plan, Iowa is eligible for additional federal disaster recovery grant funds. For example, because of the Enhanced Plan, Iowa becomes eligible for 33 percent extra funding from the Hazard Mitigation Grant Program (HMGP). This grant program helps fund long-term projects to mitigate impacts from future disasters. An Enhanced Plan is also needed for funding through the Public Assistance Grant Program, which helps repair infrastructure like roads, bridges, and water control facilities following a disaster. Because of Iowa’s Enhanced Plan, these programs have brought in nearly \$2 billion over the last 15 years.

There is no process to request a federal waiver should the approved Enhanced Plan lapse.

Fiscal Impact

There are no costs to implement this change; however, should the approved Enhanced Plan fall out of compliance with federal standards, Iowa would no longer be eligible for federal disaster recovery grant funds at the current levels.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking. Written or oral comments in response to this rulemaking must be received by the Department no later than 4:30 p.m. on August 2, 2023. Comments should be directed to:

Blake DeRouchey
Department of Homeland Security and Emergency Management
7900 Hickman Road, Suite 500
Windsor Heights, Iowa 50324
Phone: 515.323.4232
Email: blake.derouchey@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

August 2, 2023
10:30 to 11:30 a.m.

Goldfinch Room
7900 Hickman Road
Windsor Heights, Iowa
Via video/conference call using meeting link:
meet.google.com/fqq-wozf-fex

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Amend rule 605—9.3(29C), introductory paragraph, as follows:

605—9.3(29C) Iowa Hazard Mitigation Plan. The Iowa Hazard Mitigation Plan is developed in accordance with Iowa Code section 29C.8 and has been adopted on ~~September 17, 2018~~ September 18, 2023, published, and maintained by the department. This plan details the state government goals, objectives, and strategies to mitigate a wide range of natural, technological, or human-caused disasters in accordance with Section 322 of the Stafford Act, 42 U.S.C. 5165.